

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

DEMETRIUS HENDERSON,)	
)	
Plaintiff,)	
)	
v.)	No. 4:20-cv-00070-TWP-DML
)	
D. BROADY,)	
)	
Defendant.)	

ENTRY ON PLAINTIFF'S PENDING MOTIONS

I. Motion for Leave to Amend

Mr. Henderson filed his complaint on March 23, 2020. Dkt. 1. In its screening Entry of June 5, 2020, the Court determined that Mr. Henderson's excessive force claim, pursuant to the Fourteenth Amendment, shall proceed against defendant Officer Broady. Dkt. 11 at 3. Defendant Broady has now appeared in this action.¹ Dkts. 19, 20, 21. Mr. Henderson now seeks leave to file an amended complaint.

Mr. Henderson's motion for leave to file an amended complaint, dkt. [16], is **granted to the extent** that Mr. Henderson shall have **through August 24, 2020**, in which to file an amended complaint. The Court reminds Mr. Henderson that if he wishes to amend his complaint to add new defendants or additional claims, he must file a proposed amended complaint which would be screened pursuant to 28 U.S.C. § 1915A(b) and would completely replace the original complaint. As such, Mr. Henderson must identify all defendants, claims, and factual allegations he wishes to pursue in the action. *See* S.D. Ind. L.R. 15-1. Mr. Henderson may now serve discovery on counsel for the defendant, including interrogatories (written questions) and requests for production of

¹ The defendant only just appeared in this action on July 1, 2020, and has not yet filed his answer to Mr. Henderson's complaint.

documents, in an effort to determine the names of other jail staff who were allegedly involved in the incidents alleged in the complaint.

II. Motion for Counsel

Mr. Henderson's motion to appoint counsel, dkt. [17], is **denied as duplicative** of his first motion for counsel, dkt. [15], filed on the same day. The Court denied as premature Mr. Henderson's first motion for counsel on June 25, 2020. *See* dkt. 18.

IT IS SO ORDERED.

Date: 7/2/2020



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

DEMETRIUS HENDERSON
42509
CLARK COUNTY JAIL
CLARK COUNTY JAIL
Inmate Mail/Parcels
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